
**Town Council Meeting
March 24, 2008**

**Falmouth Town Hall
Council Chambers - 7:00 PM
MINUTES**

- Roll Call** Present and answering roll call: Councilors Goggin, Rodden, Wrobleski, Armitage, Breen, Payne & Libby.
- Public Forum** There was no public comment.
- Item 1 (a) (Consent Agenda)** **Order to approve the minutes of January 28, 2008, special meeting.**
- Item 1 (b) (Consent Agenda)** **Order to approve the minutes of the regular meeting of February 25, 2008 special meeting.**
- Item 1 (c) (Consent Agenda)** **Order to authorize a supplemental appropriation from undesignated fund balance for unanticipated costs associated with the comprehensive property revaluation project.**
- On motion (Armitage), duly seconded by (Libby), it was VOTED (7 Ayes) as follows:
- BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:**
- “To approve the consent agenda and to authorize a supplemental appropriation of \$30,000 from the undesignated fund balance for unanticipated costs associated with the comprehensive property revaluation project.”
- Item 2** **Report from Council Committees and liaisons regarding updates on assignments.**
- Councilor Wrobleski** stated there is a meeting regarding school consolidation tomorrow at 5 PM.
- Councilor Rodden** reported the Open Space Committee and Bob Shaft are working together on a grant.
- Councilor Armitage** reported that the Finance Committee will meet next week, April 2 at 1 PM to review the first draft of the proposed

budget. The second follow-up meeting will be on Tuesday, April 8th at noon, with a budget meeting scheduled for April 15th at 8 PM in council chambers at the Falmouth Town Hall. The budget vote is tentatively scheduled for the April 28th regular council meeting.

Councilor Breen reported on a forum held at USM. Information may be obtained from the Muskie school website.

The council thanked the applicants for the Community Facilities Committee.

The Governance Committee will meet at 7:30 AM this Wednesday.

The June election will elect 6 residents to the Charter Review Commission. Nomination papers are available at the Town Clerk's office.

Item 3

Order to establish a Work Force Housing ad hoc committee consisting of 7 members and to adopt a charge for the committee.

It was explained that the committee has been informally organized and has done a substantial amount of work; therefore the need is to formally charge the group to continue to work on Woods Road.

On motion (Wroblewski), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL:

“To adopt order to charge a Workforce Housing Committee.”

Workforce Housing Commission

1. Creation

(a) The Town Council does hereby establish an ad hoc workforce housing commission.

(b) The purpose of the commission is to advise the Council on the Woods Road Workforce Housing Project.

2. Membership

(a) The Town Council shall appoint an ad hoc commission of seven (7) town residents.

3. Charge

(a) The workforce housing commission shall:

1. Review proposals from developers for Woods Road Workforce Housing Project, and make a recommendation to Town Council for a preferred developer.

2. Work with the preferred developer selected by the Town Council to prepare final proposal for review by Town Council;

Item 4

3. Make a recommendation to the Town Council regarding the ongoing management of the Woods Road Workforce Housing Project.

Report from the Appointments Committee and order relative to filling various vacancies on Boards and Committees.

On motion (Libby), duly seconded by (Breen), it was VOTED (7Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To re-appoint Hugh Coxe to the Comprehensive Plan Advisory Committee (CPAC).”

“To appoint Dave Chase to the Comprehensive Plan Advisory Committee (CPAC).”

On motion (Libby), duly seconded by (Armitage), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To appoint the following members to the Community Facilities Planning Committee: Judith Currier, Philippe Kaplan, Analiese Larson, Tim O’Donovan & Mark Soule.”

On motion (Libby), duly seconded by (Armitage), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To appoint the following members to the Workforce Housing Commission: Tim Bryant, Donna Cheney, Paul Strout, Maura McDermott, Lisa Bousquet, Willie Audet & Ward Graffam.”

Item 5

Review the Tidewater LLC and Tidewater Foundation proposal to develop a Learning Center and other uses and to consider an order which will adopt recommendations by Councilors assigned to work on this project, such order to be in the form of a memorandum of understanding between the Town of Falmouth and Tidewater LLC.

Chair Breen presented background information relative to Tidewater.

Claudia Raessler, Chair of the Cumberland County Extension spoke

regarding the regional learning & discussed the location & utilization of the building.

Steve Maletzke spoke in support of a building. He stated that he has a close relationship with the individuals involved in the extension. He has hosted over 60 students in the last couple of years. He thinks that adults and homeowners need training, as well as students to work with different products.

Ed Garrett spoke in favor of learning center.

Discussion continued.

On motion (Armitage), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To amend the agenda to take up item # 10 at this time “Public Hearing relative to amending the Code of Ordinance Chapter 17, Traffic and Motor Vehicles.”

Item 6

Public Hearing and order to approve a new food service establishment license (victualer's permit) for Bernie's Place in West Falmouth.

Adam Shapiro spoke regarding the upcoming his plans for Bernie's Place.

On motion (Libby), duly seconded by (Wrobleski), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To approve a food service license/victualer's for Bernie's Place in West Falmouth.”

Item 7

Public Hearing and order relative to a special amusement permit for Bernie's Place in West Falmouth.

On motion (Libby), duly seconded by (Wrobleski), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To approve a special amusement permit for Bernie's Place in West Falmouth until 11:00 PM.”

Item 8

Public Hearing and order to approve a new liquor license for Bernie's Place in West Falmouth.

On motion (Libby), duly seconded by (Armitage), it was VOTED (6 Ayes: 1 opposed: Payne) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To approve a liquor license for Bernie's Place with last call no later than 1 AM."

On motion (Goggin), duly seconded by (Libby), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To take item 17 out of order and hear it now. "Order to authorize a supplemental appropriation from undesignated fund balance and/or reserve funds to complete a citizen survey associated with the consolidation of certain municipal services, such appropriation not to exceed \$25,000. "

Item 9

Public Hearing and order to renew food service/victualers licenses for: Portland Yacht Club; Town Landing Market; and European Bakery, Inc.

On motion (Payne), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To approve food service licenses for Portland Yacht Club, Town Landing Market and European Bakery, Inc. "

Item 10

Public Hearing relative to amending the Code of Ordinance Chapter 17, Traffic and Motor Vehicles.

Chair Breen opened the public hearing.

Many residents spoke in favor of the ban and consideration of extending the date of the ban. One resident spoke in favor of guests being able to park in front of his house.

Chair Breen closed the public hearing.

Item 11

Public Hearing relative to the adoption of an Emergency Management Ordinance.

Chair Breen opened the public hearing.

There was no public comment.

Chair Breen closed the public hearing.

Item 12

Public hearing relative to the adoption of a new General Assistance Ordinance (replacing all language in chapter 6 of the Code of Ordinance), and adoption of state dollar amounts for maximum assistance.

Chair Breen opened the public hearing.

There was no public comment.

Chair Breen closed the public hearing.

Item 13

Public hearing relative to amending the Code of Ordinances that will create a standing Energy Committee.

Councilor Goggin explained that items 13 & 14 are similar and that “we will not do both.” Action will be taken to create a Standing Energy Committee **OR** establish the Falmouth Green Ribbon Commission on Energy and Climate Protection.

On motion (Goggin), duly seconded by (Wroblewski), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To establish an ad hoc committee called: Falmouth Green Ribbon Commission on Energy and Climate Protection.”

On motion (Breen), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To add to the order under Paragraph F, item #4: The committee shall present annually a report and a work plan to the Town Council.”

A question was raised: “Are there costs associated with this?”

Town Manager, **Nathan Poore** responded “there is a reserve fund.”

On motion (Rodden), duly seconded by (Payne), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To call the question.”

On motion (Rodden), duly seconded by (Payne), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To approve the order as amended.”

AN ORDER ESTABLISHING AN AD HOC COMMITTEE ON ENERGY AND SUSTAINABILITY

WHEREAS, the Town of Falmouth has signed the U.S. Mayor’s Climate Protection Agreement (USMCPA) committing to reductions of carbon dioxide emissions to 7% below 1990 levels by 2012; and

WHEREAS, the Town of Falmouth desires to meet – and exceed – the USMCPA’s targets; reduce our use of fossil fuels; improve our local economy and quality of life; and advance the preservation of Falmouth and our natural world; its beauty, and its bounty for ourselves, our children and all that follow; and

WHEREAS, the continued production of carbon dioxide from fossil fuel combustion is causing an accelerating series of climate changes with substantial and costly impacts and, if unchecked, will soon have significant impacts on Falmouth, our children and human civilization; and

WHEREAS, sound investments in improved energy performance and renewable energy supply provide significant benefits to our environment and quality of life, our local economy, and our energy security; offer a sustainable and prosperous future for us and our descendants; and are the fastest, cleanest and most profitable way to reduce fossil fuel use and emissions of carbon dioxide; and

WHEREAS, the Town of Falmouth desires to take a leadership position in these regards; and

WHEREAS, the Town of Falmouth will realize these goals is a well researched, integrated, broadly supported plan is developed drawing on the wide range of interests and expertise in the town and is implemented by Town Council.

WHEREAS, it is believe that at this time an Ad Hoc committee structure will be more flexible than that of a standing committee, and will, the Council believes and intends, create a sense of urgency and importance of this mission, and

WHEREAS, it is the intention that the Ad Hoc Committee shall be

replaced by a standing committee to assist in the implementation of the Ad Hoc Committee's recommendations.

NOW THEREFORE, we, the Town Council of Falmouth, Maine, hereby Order the creation of an Ad Hoc Committee, to be known as the Falmouth Green Ribbon Commission on Climate Protection. The Committee shall:

1. Recommend climate protection actions to the Town Council and Town Manager, for the Falmouth community to meet or beat the Kyoto target.
2. The Commission shall draw on the work of other communities, resources within the citizenry of the town, town staff, and others to put together its recommendations.
3. The Commission shall interpret this charge broadly.
4. The Commission shall self organize itself as follows:
 - a. Initial members shall include members of the group informally known as the citizens's working group. The initial co-chairs for the purpose of organizing shall be Susan Howe and Michael Morrison.
 - b. The chair or co-chairs shall be schedule, set agendas for, and preside over Commission meetings.
 - c. Membership is not expected to exceed twenty people.
 - d. The interim co-chairs shall report back to the Council Nominating Committee no later than thirty days from the date of this order with its recommendations for permanent chairs, and nominations for membership.
 - e. The Commission shall give consideration in nominating its members to balance background (business leaders, school administrators, members of the faith community, community organizations, energy suppliers, facility managers, and energy performance/renewable energy experts), gender, and age.
 - f. The Town Clerk shall advertise that the Commission is seeking volunteers for service on the Commission.
5. The Commission shall report back to the Town Council and Town Manager no later than one year from the date of this order. The Committee shall present annually a report and a work plan to the Town Council.

Be it Hereby Ordered, this 24th day of March, 2008, by the Town Council of the Town of Falmouth, Maine.

Item 14 **Order to create an Ad Hoc Energy Committee (Falmouth Green Ribbon Commission on Energy & Climate Change).**

Motions are recorded above.

Item 15 **Public Hearing for Zoning Amendment to create a new use "Commercial School" and permit it in the Business Professional District (BP)**

Chair Breen opened the public hearing.

There was support from a few member of the public for a new use.

Chair Breen closed the public hearing.

Item 16 **Presentation of the FY09 school budget.**

The FY 09 school budget was presented.

Item 17 **Order to authorize a supplemental appropriation from undesignated fund balance and/or reserve funds to complete a citizen survey associated with the consolidation of certain municipal services, such appropriation not to exceed \$25,000.**

Beverly Cooper stated that she has been a Falmouth resident for 47 years & worked 20 years for the Falmouth School Department. She is upset about the consolidation as the town hall is the backbone of Falmouth and she has used it throughout the years. She is in support of the survey.

Chuck McCatherin spoke against spending up to \$25,000 on the survey. He stated having customer service at the town hall is important to the community & asked if the town has looked at operational efficiencies, and asked what would happen to the town's election process.

On motion (Goggin), duly seconded by (Armitage), it was VOTED (3 Ayes: Goggin, Armitage, Breen 4 opposed: Wrobleski, Rodden, Payne, Libby) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

"To table until next workshop."

Councilor discussion continued.

Councilor Rodden stated she sent out an email and the idea to do a survey was rejected. She would be willing to vote on this issue tonight.

On motion (Wrobleski), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To call the question.”

On motion (Wrobleksi), duly seconded by (Goggin), it was VOTED (5 Ayes; 2 opposed: Payne & Rodden) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To postpone until the April 15, 2008 workshop.”

On motion (Libby), duly seconded by (Goggin), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To move item 15 to be heard next.” Public Hearing for Zoning Amendment to create a new use "Commercial School" and permit it in the Business Professional District (BP).”

Item 18

Introduction of an amendment to the Code of Ordinances, Part II, Chapter 2, Article III, Division 4, that will change the charge and membership of the Comprehensive Planning Advisory Committee.

“This item was introduced.”

Item 19

Adjourn

On motion (Armitage), duly seconded by (Libby), it was VOTED (7 Ayes) as follows:

BE IT ORDERED BY THE MUNICIPAL OFFICERS OF THE TOWN OF FALMOUTH, MAINE IN TOWN COUNCIL ASSEMBLED:

“To adjourn the meeting at 11:15 PM.”

Respectfully submitted,

Kathleen W. Babeu

Kathleen W. Babeu, CMC
Falmouth Town Clerk